

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**WILLIE JOE TUCKER**

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**Case No.: 3:05CR117-A**

**UNOPPOSED MOTION TO CONTINUE REVOCATION HEARING**

COMES NOW the Defendant, Willie J. Tucker, by and through undersigned counsel, Kevin L. Butler, pursuant to Federal Rule of Criminal Procedure 32.1(b) and respectfully moves the Court for an Order continuing the Final Revocation Hearing which is currently set in this case on May 27, 2005, for at least fourteen (14) days. In support of this motion, Defendant would state the following:

1. In a Petition for Warrant or Summon for Offender Under Supervision, the United States Probation Office (USPO) has moved to revoke Mr. Tucker's supervised release.
2. On May 25, 2005, the Court appointed undersigned counsel's office to represent Mr. Tucker in this matter and set a final revocation hearing for May 27, 2005.
3. On May 26, 2005, undersigned counsel received notice of the appointment.
4. Undersigned counsel has not had an opportunity to meet or speak with Mr. Tucker, investigate the matters contained in the petition, or investigate any potential mitigating evidence.
5. For these reasons it is in the interest of justice to continue this matter for at least fourteen (14) days.
6. The United States Attorney, through Clark Morris and the U.S. Probation Office, through James Chappell, have been contacted and have no opposition to continuing this hearing.

WHEREFORE, the Defendant prays that the Court enter an order continuing this revocation hearing for fourteen (14) days.

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 26, 2005, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following: Clark Morris, Assistant United States Attorney, One Court Square, Suite 201, Montgomery, Alabama 36104.

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
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